IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2272 OF 2004.

Dipak Subhash Yetale. ... Petitioner

Versus.

Smt.Jyoti Dipak Yetale. ... Respondents.

Shri Vikas M.Mali for the Petitioner.

Ms.S.D.Shinde, A.P.P.for the Respondent-State.

CORAM : ABHAY S. OKA, J.

DATED : 10th August, 2005.

P.C.:

1. Heard the learned Advocate appearing for the parties. The learned Advocate for the Petitioner states that the Applicant is a labourer and it is impossible for him to pay the amount directed to be paid by the impugned order. He submitted that the notice may be ordered to be issued to the Respondent No.1 with a view to make efforts for settlement.

2. Notice cannot be issued unless the Petitioner deposits a reasonable amount in this Court towards maintenance and towards costs payable to the Respondents Nos.1 to 3.

3. Issue notice to the Respondent No.1 returnable on 16th September 2005. Notice will be issued only on the Petitioner depositing a sum of Rs.8000/- in this Court within a period of two weeks from today. If the amount

is not deposited, the petition will stand dismissed for want of prosecution without further reference to the Court. In case the amount is deposited within the stipulated time, notice will be issued to the Respondent No.1. The Respondent No.1 will be at liberty to withdraw the said amount, if deposited.

Judge.